

Stephanopoulos: *But you reject that it's a tax increase?*

Obama: *I absolutely reject that notion.....*

Stephanopoulos:.....*That may be true, but it's still a tax increase.*

Obama: *No, that's not true, George.*

-Excerpts from an exchange between President Obama and George Stephanopoulos in 2009. For the entire clip of the exchange, click [HERE](#) .

Obamacare: I am old enough to remember Harry Truman. No, not President Harry Truman. I am not quite that old! I mean the stubborn individualist who lived in Washington State at the base of Mount St. Helens when that volcano erupted in 1980. That Harry Truman refused repeated attempts by government authorities to evacuate him from the base of the mountain he loved. He was never seen again after the eruption and is presumed to have been buried in a deep lava flow. So, what does Harry Truman have to do with Obamacare? Keep reading. I will get to that.

When I sit down with my MacBook Pro to write, I take care to try and avoid trite and overused phrases or metaphors that, in my view, have ceased to have any literary punch. But, I'm going to use one now because it just fits too perfectly. In analyzing the Supreme Court's decision on Obamacare, I truly see "The Good, The Bad and The Ugly".

First, the Good. The court nearly unanimously rejected the idea that it is constitutional for the federal government to force someone to buy something. Writing for the majority, Justice Roberts noted that the government cannot require someone to enter into commerce so they can then have that commerce regulated. The dissenting opinions, which believed in striking the entire law down, also reaffirmed this notion. This is actually a very good precedent and one which sets back the agenda of self-described "progressives" who want the government to

compel us to do (and not do) all sorts of things. The court has ruled that the federal government cannot do that.

And, for the first time ever, a Supreme Court ruled that the federal government went too far in using the carrot and stick of federal money to force a state to do something. The federal government has been doing this for decades. States had to raise the drinking age to 21, for example, or lose federal highway funds. They had to enact seatbelt laws and have a speed limit no higher than 55 mph or lose federal funds. And, there are dozens more similar examples. None have ever been struck down by the court....until now. This court ruled that the threat to withhold Medicaid dollars from states if they did not move more people onto Medicaid rolls (and off of Obamacare) was ruled as overly punishing and prescriptive. The good news here is that, for the very first time, the court has said that there are limits on the extent to which states can be made to enact laws they don't want to enact for fear of being punished with federal money.

And, the final bit of good news was eluded to in our opening quote today. The Obamacare tax, which the President insisted was not a tax, is formally deemed to be a tax. Never again will a congress and a president be able to mislead the American people as President Obama and the Pelosi Congress did in 2009 by calling a tax a "penalty" or a "fee".

Now, for the Bad News. As you all know, the biggest, baddest news is that Obamacare was not struck down by the court. And, calling the Obamacare tax a tax now is too late for those who supported it to have had to defend that position during the debate on the bill. So, they got away with it. More bad news is that the concept of the tax that the Supreme Court approved is disturbing in its own right. When we have taxed in this country, we have always taxed an action. If you earn income, you pay an income tax. If you buy stuff, you pay a sales tax. We have never before taxed the people for *inaction*. If you *don't* buy health insurance, we will tax you. Think about how pernicious this concept of taxing inaction could become. For liberals reading this, imagine that if you

don't

own a gun, you will be taxed. Many of you more liberal readers are saying, "Oh, that could never happen." Are you sure? When freedom is lost, it can be lost to the forces of good or the forces of evil - however you perceive those forces to be. If you

don't

buy 2 servings of fruits and vegetables a day, you will be taxed. Under the Supreme Court ruling, the government could not force you to eat those veggies, but they can tax you if you don't buy them.

So, what's the Ugly? That is how this whole thing will progress from here. Already, the

administration has admitted that various aspects of the bill are unworkable, including the so-called CLASS act, which would have created a new long-term care insurance program. That punched one hole in Obamacare. The unconstitutionality of withholding states' Medicaid money if they do not comply will punch another enormous hole in the bill. To give the illusion that socialized medicine works somehow, Obamacare required states to push a whole bunch of new people into Medicaid that would otherwise be on the rolls of Obamacare. This was designed to shift higher costs to the states, which, in turn, would not be reflected in Obamacare when figuring the "cost" of the bill. (i.e. it was a way to hide costs) In order to make states take on this additional cost, the bill would remove all Medicaid funding from states that did not comply with this order. Now, because of the Supreme Court ruling, states don't have to comply and they will still get all their Medicaid funding. However, now, if states don't comply, millions and millions of new people will go on the Obamacare rolls without anyone to pay for them.

And, why would states comply? Remember, 26 states sued the federal government over this very issue. They won. You would have to expect that those 26 states will not choose to voluntarily assume billions of dollars in additional, unreimbursed costs just to help the President fund Obamacare. That alone will make the financials on Obamacare go from bad to worse. Leading Democrats in my home state of California are already praising the ruling and saying that California, of course, will voluntarily comply with this wonderful law. In addition to the added direct costs that this position implies, it also will make California even more of a magnet for people from other states who want free stuff. In other words, more people on government assistance moving in and more people of accomplishment moving out of California. This will all hasten the coming insolvency of my home state.

But, back to Obamacare. The tax, now affirmed as a tax by the Supreme Court, is \$750 a year. It is assumed that millions of Americans will pay this tax and go on free Obamacare because it is still a lot cheaper than buying health insurance. This bill was never going to work even if it operated as planned. But, now the wheels are literally coming off. It will collapse of its own weight because many of the fragile and unstable underpinnings have formally been removed now.

But, as it collapses, it will take jobs and the economy down with it. This will make us long for deficits of only \$1 trillion, as our new deficits will balloon with all the free health care doled out with little revenue to offset it. (AND, you can confiscate all income of \$250,000 and it won't come close to paying for Medicare, not to mention Obamacare. So, don't pretend that is a solution) That's why the House will vote this week to completely repeal Obamacare. That repeal will pass the House with, I would think, all Republicans and a few dozen Democrats voting in favor. But, the Senate will not pass it and the President will not sign it. To change that, you have to send us a new senate and a new president in November.

In closing, I return to Harry Truman. Why did I begin this missive with the crusty fellow from Mount St. Helens? I would not want to have lived Harry Truman's life nor would I have made the decision he did in advance of that volcanic eruption. But, one of the hallmarks of America is that an individual here has the freedom to live the life he or she wants, not the life someone else insists he or she have. Harry Truman didn't ask for anything. He didn't want anything...except to be left alone. To live his life on the side of that mountain, and to make his own decisions in the face of impending threats. But, now it appears if Harry Truman does not buy health insurance, IRS agents will go find him wherever he is and tax him, even if he has no income. And, perhaps in the future, if Harry doesn't own a gun or buy 2 servings of vegetables, they will hunt him down and tax him more. Just like that lava flow, Harry can't escape the conscription of the federal government even alone with his 14 cats in the wilderness.

The Harry Trumans out there lost some freedom on June 28. We all lost some freedom on June 28. We did not lose it at the point of a sword, as has often been our fear. We lost it at the point of a pen. We cannot allow the pen of compulsory action, socialism and statism to prevail, or the "progressives" will rob us of freedom more slowly, but every bit as inexorably as the sword.